

Exhibit 4

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.,

Plaintiff,

v.

**MICRON TECHNOLOGY, INC.,
MICRON SEMICONDUCTOR PRODUCTS,
INC., MICRON TECHNOLOGY TEXAS LLC,**

Defendants.

Case No. 2:22-cv-203-JRG

DECLARATION OF GAIL SASAKI

I, Gail Sasaki, declare as follows:

1. I am Executive Vice President and Chief Financial Officer at Netlist, Inc. (“Netlist”). I have personal knowledge of the facts stated herein, and, if called as a witness, could and would testify to such facts competently under oath.

2. In my capacity as Netlist’s Executive Vice President and Chief Financial Officer, I exercise control over Netlist’s records in the ordinary course of business, and am personally familiar with the creation and maintenance of records relating to Netlist’s business.

3. Netlist produced in this case documents with Bates numbers NL-MIC-203_00042009 and NL-MIC-203_00042010. NL-MIC-203_00042009 is an email dated April 15, 2015 with the subject line “Micron Final Presentations from Last Mtg (call) on 2/25 is attached.” It attaches NL-MIC-203_00042010, which is a presentation titled “Netlist, Inc.” and dated “February 2015.” Rex Sherry prepared the presentation to Micron. This presentation was given to Micron on February 25, 2015. It was part of Rex Sherry’s ordinary course of business in 2015 to report to me that Netlist had given a presentation to Micron.

4. Netlist also produced in this case the document with Bates number NL-MIC-203_00042152, which is an email titled “Micron Presentation 2 25.pptx.” I drafted this email and sent it to Rex Sherry, Noel Whitley, Christopher Lopes, Hyun Lee, and Jay Bhakta. In the body of this email, I wrote “This was the last presentation we did for Micron on 2/25,” and attached the presentation.

5. Attached here to my declaration is an email from Chuck Hong to Bryan Rapisura, a Netlist Business Analyst, and me, on February 25, 2015. As part of the email chain, Mr. Rapisura forwarded the login link for the virtual meeting with Micron to Mr. Hong, which indicates that the meeting with Micron occurred on February 25, 2015, at 10:00 AM Pacific Standard Time, and it occurred over the “GoTo Meeting” platform, which is a web conferencing

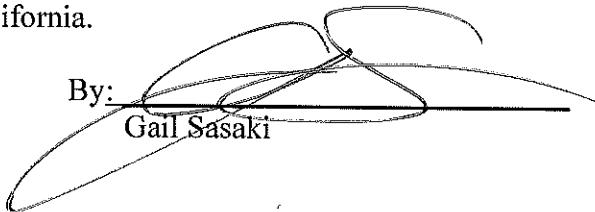
solution that includes video conferencing and screen sharing.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 20, 2023, in Irvine, California.

By:

Gail Sasaki

A handwritten signature in black ink, appearing to read "Gail Sasaki", is written over a stylized, abstract drawing that looks like a hat or a stylized 'G'. The signature is positioned to the right of the text "By: Gail Sasaki".

From: C.K. Hong <ckhong@netlist.com>
Sent: Wednesday, February 25, 2015 9:50 AM
To: Bryan Rapisura
Cc: Gail Sasaki
Subject: Re: Micron Meeting - GoToMeeting

Thanks

Sent from my iPad

On Feb 25, 2015, at 9:42 AM, Bryan Rapisura <brapisura@netlist.com> wrote:

Hello Chuck,

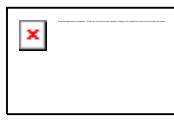
Please see below for joining the Micron Meeting via GoToMeeting:

Micron Meeting

Wed, Feb 25, 10:00 AM Pacific Standard Time

- Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/156471621>
- Join the conference call.
 - Conference #: +1 (877) 903-2255
 - ID: 3086201

Best,
Bryan Rapisura



Bryan Rapisura
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